

STATE OF IOWA
DEPARTMENT OF COMMERCE
BEFORE THE IOWA UTILITIES BOARD

IN RE:	
BLACK HILLS/IOWA GAS UTILITY COMPANY, LLC d/b/a/ BLACK HILLS ENERGY	DOCKET NOS. SPU-2015-0039 TF-2015-0352

MOTION TO MODIFY PROCEDURAL SCHEDULE

The Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, files this Motion To Modify Procedural Schedule in the above-captioned proceeding. In support of its motion, OCA states:

1. On November 24, 2015, Black Hills/Iowa Gas Utility Company, LLC d/b/a/ Black Hills Energy (Black Hills or Company) filed a Request for Approval of Tariff and Other Relief. The request relates to its farm tap customers. OCA filed an Objection and Request for Docketing on December 10, 2015, which raised a number of ratemaking issues. On December 23, 2015, the Board issued an order docketing and suspending the Black Hills request and ordering Black Hills to send a notice of its proposal to all farm tap customers.
2. On April 25, 2016, Black Hills filed an amendment to its initial application, which it corrected on April 27, 2016. The Board issued an Order Granting Motion for Leave to Amend Application and Requiring Filing of New Customer Notice on May 17, 2016.
3. After resolving disputes over the appropriate language to be used in the customer notices, the Board, on July 5, 2016, issued an order approving the customer notice and scheduling customer meetings. Customer meetings were held throughout the state during August and September, 2016, to gather input from Black Hills customers.

4. On October 18, 2016, the Board issued an order establishing a procedural schedule and requiring Black Hills to file additional information with the Board. The procedural schedule requires Black Hills to file prepared direct testimony setting forth and supporting its final proposals on November 7, 2016. It also requires that OCA and any intervenors file prepared responsive testimony by December 2, 2016, and sets the hearing for January 12, 2017.

5. The concepts in Company's initial application have evolved significantly over the more than ten months since its initial application was filed. OCA is unaware of what Black Hills' final proposals (to be provided to OCA on November 7) are likely to be, and OCA will need sufficient time to analyze Black Hills' final proposals as set forth and explained in its testimony and exhibits, conduct initial and follow-up discovery, and prepare responsive testimony.

6. The procedural schedule gives OCA and intervenors only 25 days, including the Thanksgiving holiday. This proceeding was initiated by Black Hills on November 24, 2015. After more than ten months, there is no request or justification in the record for an expedited schedule of only six and one-half weeks based on the Board's October 18, 2016, Order requiring Black Hills to file prepared direct testimony on November 7, 2016, and OCA and any intervenors to file prepared responsive testimony by December 2, 2016.

7. The time allotted to OCA in the procedural schedule, 25 days (17 business days), does not allow sufficient time for OCA to perform a thorough analysis of the Company's final proposals, of the adequacy of the cost support, and of the potential impacts on rates for current and future customers.

8. Depending upon the proposals ultimately made by Black Hills, the comprehensiveness of the associated cost support and explanation, and the availability of OCA's

in-house expertise, the OCA may need to find and retain outside assistance to adequately analyze the issues and prepare testimony. Retaining outside assistance is a time-consuming process made more difficult by the existence of the intervening Thanksgiving holiday.

9. OCA believes that a minimum of two additional two weeks is needed to perform its statutory duties in this proceeding.

WHEREFORE, the OCA respectfully requests that the procedural schedule be extended and the date set for the filing of OCA and intervenors' direct testimony and exhibits be extended to December 19, 2016.

Respectfully submitted,

/s/ Mark R. Schuling

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OFFICE OF CONSUMER ADVOCATE